

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

A Limited Liability Partnership

2 Including Professional Corporations

ORI KATZ, Cal. Bar No. 209561

3 ROBERT K. SAHYAN, Cal. Bar No. 253763

MATT R. KLINGER, Cal. Bar No. 307362

4 Four Embarcadero Center, 17th Floor

San Francisco, CA 94111-4109

5 Telephone: 415-434-9100

Facsimile: 415-434-3947

6 Email: okatz@sheppardmullin.com

rsahyan@sheppardmullin.com

7 mklinger@sheppardmullin.com

8 Proposed Counsel for Debtor PopExpert, Inc.

9
10 UNITED STATES BANKRUPTCY COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13
14 In re

15 PopExpert, Inc.,

16 Debtor.

Case No. 16- 16-30390 HLB

Chapter 11

**NOTICE OF HEARING ON DEBTOR'S
FIRST DAY EMERGENCY MOTIONS**

Date: April 14, 2016

Time: 1:30 p.m.

Judge: Honorable Hannah L. Blumenstiel

Place: 450 Golden Gate Avenue

16th Floor, Courtroom 19

San Francisco, CA 94102

22
23 **TO THE UNITED STATES BANKRUPTCY COURT, THE OFFICE OF THE**
24 **UNITED STATES TRUSTEE, CREDITORS, AND OTHER PARTIES IN**
25 **INTEREST:**

26 **PLEASE TAKE NOTICE THAT** on April 12, 2016, PopExpert, Inc. (the
27 “Debtor”) filed a voluntary petition for relief under chapter 11 of title 11 of the United
28 States Code (the “Bankruptcy Code”) with the United States Bankruptcy Court for the

1 Northern District of California, San Francisco Division (the “Bankruptcy Court”). The
2 Debtor’s case has been assigned to the Honorable Judge Blumenstiel, United States
3 Bankruptcy Judge. The Bankruptcy Court is located at the address shown in the caption
4 above.

5 **PLEASE TAKE FURTHER NOTICE** that Bankruptcy Court entered an order
6 granting the Debtor’s ex parte application (the “Order”) and setting a hearing (the
7 “Emergency Hearing”) on **April 14, 2016 at 1:30 p.m.** to consider the following first day
8 motions filed by the Debtor (collectively, the “First Day Motions”) on an emergency basis:

- 9 (a) Debtor’s Emergency Motion for an Order Authorizing Debtor to
10 Maintain its Existing Bank Accounts and Approving Debtor’s
Continuation of its Cash Management System; and
- 11 (b) Debtor’s Emergency Motion for Order Limiting Service of Notice of
12 Certain Matters

13 **PLEASE TAKE FURTHER NOTICE THAT** following is a description of each
14 of the First Day Motions and the relief requested:

15 1. Cash Management Motion. By the Cash Management Motion, the Debtor
16 seeks an order authorizing it to (a) maintain its bank accounts and cash management
17 system post-petition, and (b) continue its online payment processing arrangements in the
18 ordinary course of business. In connection with those requests, the Debtor also seeks a
19 waiver of the United States Trustee’s requirement to establish a specific bank account for
20 tax payments. The Debtor requires Court approval of the Cash Management Motion so
21 that it can operate post-petition. The Debtor’s ability to maintain its cash management
22 system and its business arrangements with the Online payment processors is essential to
23 the Debtor’s continued operations of its business and the preservation of its going concern
24 value.

25 2. Motion to Limit Notice. As of the date of the bankruptcy filing, there are
26 numerous parties to be served in this matter, which would be very costly and time-
27 consuming and would minimize recovery to creditors. By the Motion to Limit Notice, the
28 Debtor seeks an order limiting service of certain notices of hearings, applications, motions,

stipulations, and other matters as the Court may direct on: (1) the Debtor; (2) counsel for the Debtor; (3) the United States Trustee; (4) counsel for any committee appointed under Bankruptcy Code section 1102 or, before and until the appointment of any such committee, the Debtor's twenty (20) largest unsecured creditors; (5) counsel for parties who are involved in pending litigation with the Debtor; (6) any party directly affected by a particular motion; (7) parties who make a request of Debtor's counsel to be added to the service list, provided that such request is made via mail, email, or facsimile to Matt Klinger, Esq., at the contact information shown for Mr. Klinger in the proposed order approving the Motion; and (8) all other parties who file a request for special notice and service of papers with the clerk of this Court.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to the Order, any objection to the First Day Motions must be filed and served by **12:00 p.m. PST on Thursday, April 14, 2016**. Failure to timely object may be deemed by the Court to constitute consent to the relief requested in the Motions.

PLEASE TAKE FURTHER NOTICE THAT your rights may be affected by the First Day Motions. You should read the First Day Motions carefully and you may want to discuss them with your attorney. If you did not receive copies of the First Day Motions for any reason and would like to obtain one, contact Matt Klinger at 415-774-2920, or by email at mklinger@sheppardmullin.com.

Dated: April 12, 2016

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By */s/ Ori Katz*

ORI KATZ

ROBERT K. SAHYAN

MATT R. KLINGER

Proposed Counsel for Debtor PopExpert, Inc.